

JOSEPH P. RUSSONIELLO (CASBN 44332)
United States Attorney

BRIAN J. STRETCH (CASBN 163973)
Chief, Criminal Division

STEVEN E. SEITZ (NYSBN 4408415)
Special Assistant United States Attorney

150 South Almaden Boulevard, Suite 900
San Jose, California 95113
Telephone: (408) 535-5080
Facsimile: (408) 535-5066
steven.seitz@usdoj.gov

Attorneys for the United States,

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER ANTHONY DAVIS,

Defendant.

No. CR 09-00671 JW

STIPULATION AND [PROPOSED]
ORDER CONTINUING HEARING

STIPULATION

The parties, by and through their respective counsel, hereby stipulate and agree that the status hearing currently set for Monday, October 19, 2009, shall be continued to Monday, October 26, 2009, at 1:30 p.m., before the Honorable James Ware, United States District Judge. The reason for the requested continuance is the unavailability of government counsel.

The parties further stipulate and agree that the time until October 26, 2009, shall be

1 excluded from the time within which trial shall commence, as reasonable time necessary for
2 effective preparation of counsel, taking into account the exercise of due diligence, pursuant to
3 Title 18, United States Code Section 3161(h)(7)(A) and (h)(7)(B)(iv).

4
5 Dated: October 15, 2009

6
7 s/_____
CYNTHIA C. LIE
Counsel for Mr. Christopher Anthony Davis

8 Dated: October 15, 2009


9
10 s/_____
STEVEN E. SEITZ
Special Assistant United States Attorney

11
12 ~~James Ware~~ **[PROPOSED] ORDER**

13 Good cause appearing and by stipulation of the parties, it is hereby ordered that the status
14 hearing of October 19, 2009 shall be continued to October 26, 2009 at 1:30 p.m.

15 It is further ordered that the time until October 26, 2009 shall be excluded from the time
16 within which trial shall commence under the Speedy Trial Act, as the reasonable time necessary
17 for effective preparation and continuity of counsel, taking into account the exercise of due
18 diligence, pursuant to Title 18, United States Code Section 3161(h)(8)(A) and (h)(8)(B)(iv).

19
20 Dated: October 15, 2009

21 
JAMES WARE
United States District Judge